

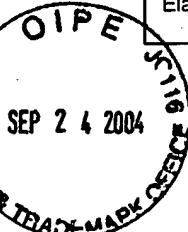
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PATENT

Attorney's Docket No.: 00033.03CON

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Rabinowitz et al.
Serial No.: 10/766,634
Filed: 1/27/2004
Title DELIVERY OF DIPHENHYDRAMINE THROUGH AN INHALATION
ROUTE

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Dear Sir:

In accordance with their continuing duty of disclosure under 37 CFR §§ 1.97, 1.98 and 1.56, Applicants hereby submit for consideration in the above-identified application the enclosed references. The Information Disclosure statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

For the convenience of the Examiner, the references are listed on a PTO Form 1449 (attached) and copies thereof are enclosed. Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

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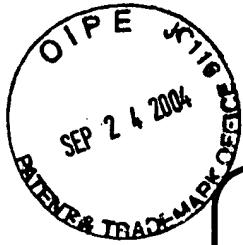
Respectfully submitted,

Date: SEP. 24 2004



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Application Number	10/766,634
Filing Date	1/27/2004
First Named Inventor	Joshua D. Rabinowitz
Art Unit	Not yet known
Examiner Name	To be assigned
Total Number of Pages in This Submission	Attorney Docket Number 00033.03CON

ENCLOSURES (check all that apply)

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Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION <i>(Use several sheets if necessary)</i>	Docket Number: 00033.03 CON	
	Application Number: 10/766,634	
	Applicant: Joshua D. RABINOWITZ et al.	
	Filing Date: 1/27/2004	Group Art Unit: Not Yet Known

U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.	02/02/1971	3,560,607	Hartley, et al.			
	2.	05/27/1980	Re. 30,285	Babington			
	3.	01/23/1990	4,895,719	Radhakrishnun et al.			
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	5.	03/31/1992	5,099,861	Clearman et al.			
	6.	02/14/1995	5,388,574	Ingebrethsen			
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	8.	10/10/1995	5,457,100	Daniel			
	9.	08/13/1996	5,544,646	Lloyd et al.			
	10.	12/09/1997	5,694,919	Rubsamen et al.			
	11.	04/07/1998	5,735,263	Rubsamen et al.			
	12.	04/14/1998	5,738,865	Baichwal et al.			
	13.	06/02/1998	5,758,637	Ivri et al.			
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	15.	08/10/1999	5,934,272	Lloyd et al.			
	16.	09/28/1999	5,957,124	Lloyd et al.			
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	23.	10/17/2000	6,133,327	Kimura et al.			
	24.	06/05/2001	6,241,969	Saidi et al.			

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25.	07/03/2001	6,255,334	Sands			
26.	01/14/2003	6,506,762	Horvath et al.			
27.	02/04/2003	6,514,482	Bartus et al.			
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33.	08/22/2002	US 2002/0112723	Schuster et al.			
34.	11/28/2002	US 2002/0176841	Barker et al.			
35.	01/02/2003	US 2003/0004142	Prior et al.			
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RELATED ALEXZA MOLECULAR DELIVERY CORPORATION PATENT DOCUMENTS

37.	08/04/2003	10/633,876	Hale et al.			
38.	08/04/2003	10/633,877	Hale et al.			
39.	12/30/2003	10/749,537	Rabinowitz et al.			
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45.	01/27/2004	10/766,647	Rabinowitz et al.			
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47.	01/29/2004	10/768,205	Rabinowitz et al.			
48.	01/29/2004	10/768,220	Rabinowitz et al.			
49.	01/29/2004	10/768,281	Rabinowitz et al.			
50.	01/29/2004	10/768,293	Rabinowitz et al.			

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60.	03/03/2004	10/792,013	Rabinowitz et al.			
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70.	04/01/2004	10/816,567	Rabinowitz et al.			
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75.	01/02/2003	US 2003/0000518	Rabinowitz et al.			
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77.	01/09/2003	US 2003/0005925	Hale et al.			
78.	01/09/2003	US 2003/0007933	Rabinowitz et al.			
79.	01/09/2003	US 2003/0007934	Rabinowitz et al.			

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80.	01/16/2003	US 2003/0012737	Rabinowitz et al.			
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84.	01/23/2003	US 2003/0015190	Rabinowitz et al.			
85.	01/23/2003	US 2003/0017114	Rabinowitz et al.			
86.	01/23/2003	US 2003/0017115	Rabinowitz et al.			
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88.	01/23/2003	US 2003/0017117	Rabinowitz et al.			
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92.	1/30/2003	US 2003/0021753	Rabinowitz et al.			
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94.	01/30/2003	US 2003/0021755	Hale et al.			
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100.	01/15/2004	US 2004/0009128	Rabinowitz et al.			
101.	05/20/2004	US 2004/0096402	Hodges et al.			
102.	05/27/2004	US 2004/0099269	Hale et al.			
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105.	07/01/2004	US 2004/0126326	Rabinowitz et al.			
106.	07/01/2004	US 2004/0126327	Rabinowitz et al.			
107.	07/01/2004	US 2004/0126328	Rabinowitz et al.			
108.	07/01/2004	US 2004/0126329	Rabinowitz et al.			

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INFORMATION DISCLOSURE CITATION
IN AN APPLICATION

(Use several sheets if necessary)

Applicant: Joshua D. RABINOWITZ et al.

Filing Date: 1/27/2004

Group Art Unit: Not Yet Known

	109.	07/01/2004	US 2004/0127481	Rabinowitz et al.			
	110.	07/01/2004	US 2004/0127490	Rabinowitz et al.			
	111.	08/12/2004	US 2004/0156788	Rabinowitz et al.			
	112.	08/12/2004	US 2004/0156789	Rabinowitz et al.			
	113.	8/12/2004	US 2004/0156790	Rabinowitz et al.			
	114.	08/12/2004	US 2004/0156791	Rabinowitz et al.			

FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO
	115.	03/14/1990	EP 0 358 114	Europe			
	116.	03/07/2001	EP 1 080 720	Europe			
	117.	08/29/2001	EP 0 606 486	Europe			
	118.	04/11/1996	WO 96/09846	WIPO			
	119.	05/09/1996	WO 96/13161	WIPO			
	120.	05/09/1996	WO 96/13290	WIPO			
	121.	05/09/1996	WO 96/13291	WIPO			
	122.	05/09/1996	WO 96/13292	WIPO			
	123.	10/03/1996	WO 96/30068	WIPO			
	124.	08/07/1997	WO 97/27804	WIPO			
	125.	05/28/1998	WO 98/22170	WIPO			
	126.	07/23/1998	WO 98/31346	WIPO			
	127.	08/27/1998	WO 98/36651	WIPO			
	128.	04/08/1999	WO 99/16419	WIPO			
	129.	12/16/1999	WO 99/64094	WIPO			
	130.	01/06/2000	WO 00/00176	WIPO			
	131.	01/06/2000	WO 00/00215	WIPO			

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	132.	05/18/2000	WO 00/27363	WIPO		
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	134.	09/17/2000	WO 00/47203	WIPO		
	135.	11/02/2000	WO 00/64940	WIPO		
	136.	11/09/2000	WO 00/66084	WIPO		
	137.	11/09/2000	WO 00/66206	WIPO		
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	139.	01/25/2001	WO 01/05459	WIPO		
	140.	03/28/2002	WO 02/24158	WIPO		

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(including author, title, Date, Pertinent Pages, Etc.)

Examiner Initials	Ref. No.	Title
	141.	Bennett, R.L. et al. (1981). "Patient-Controlled Analgesia: A New Concept of Postoperative Pain Relief," <i>Annual Surg.</i> 195(6):700-705.
	142.	Carroll, M.E. et al. (1990), "Cocaine-base smoking in rhesus monkeys: reinforcing and physiological effects," <i>Psychopharmacology</i> (Berl). 102:443-450.
	143.	Clark, A. and Byron, P. (1986). "Dependence of Pulmonary Absorption Kinetics on Aerosol Particle Size," <i>Z. Erkrank.</i> 166:13-24.
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	145.	Davies, C.N. et al. (May 1972). "Breathing of Half-Micron Aerosols," <i>Journal of Applied Physiology</i> . 32(5):591-600.
	146.	Dershwitz, M., M.D., et al. (September 2000). "Pharmacokinetics and Pharmacodynamics of Inhaled versus Intravenous Morphine in Healthy Volunteers," <i>Anesthesiology</i> . 93(3): 619-628.
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149.	Hatsukami D, et al. (May 1990) "A method for delivery of precise doses of smoked cocaine-base to humans." <i>Pharmacology Biochemistry & Behavior</i> . 36(1):1-7.		
150.	Heyder, J. et al. (1986). "Deposition of Particles in the Human Respiratory Tract in the Size Range 0.005-15 μ m," <i>J. Aerosol Sci.</i> 17(5):811-822.		
151.	Huizer, H., "Analytical studies on illicit heron. V. Efficacy of volatilization during heroin smoking." <i>Pharmaceutisch Weekblad Scientific Edition</i> (1987). 9(4):203-211.		
152.	Hurt, R.D., MD and Robertson, C.R., PhD, (October 1998). "Prying Open the Door to the Tobacco Industry's Secrets About Nicotine: The Minnesota Tobacco Trial," <i>JAMA</i> 280(13):1173-1181.		
153.	Lichtman, A.H. et al. (1996). "Inhalation Exposure to Volatilized Opioids Produces Antinociception in Mice," <i>Journal of Pharmacology and Experimental Therapeutics</i> . 279(1):69-76.		
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156.	Meng, Y. et al. "Inhalation Studies With Drugs of Abuse," <i>NIDA Research Monograph</i> , (1997) 173:201-224.		
157.	Meng, Y., et al. (1999). "Pharmacological effects of methamphetamine and other stimulants via inhalation exposure," <i>Drug and Alcohol Dependence</i> . 53:111-120.		
158.	Office Action mailed 8/13/2003 for US application 10/153,313 filed 05/21/2002 "DELIVERY OF BENZODIAZEPINES THROUGH AN INHALATION ROUTE"		
159.	Pankow, J.F. et al. (1997). "Conversion of Nicotine in Tobacco Smoke to Its Volatile and Available Free-Base Form Through the Action of Gaseous Ammonia," <i>Environ. Sci. Technol.</i> 31:2428-2433.		
160.	Pankow, J. (March 2000). ACS Conference-San Francisco-3/26/00. Chemistry of Tobacco Smoke. pp. 1-8.		
161.	Seeman, J. et al. (1999). "The Form of Nicotine in Tobacco. Thermal Transfer of Nicotine and Nicotine Acid Salts to Nicotine in the Gas Phase," <i>J. Agric. Food Chem.</i> 47(12):5133-5145.		
162.	Sekine, H. and Nakahara, Y. (1987). "Abuse of Smoking Methamphetamine Mixed with Tobacco: 1. Inhalation Efficiency and Pyrolysis Products of Methamphetamine," <i>Journal of Forensic Science</i> 32(5):1271-1280.		
163.	Vapotronics, Inc. (1998) located at http://www.vapotronics.com.au/banner.htm , 11 pages, (visited on June 5, 2000).		
164.	Ward, M.E. MD, et al. (December 1997). "Morphine Pharmacokinetics after Pulmonary Administration from a Novel Aerosol Delivery System," <i>Clinical Pharmacology & Therapeutics</i> 62(6):596-609.		
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165.	Wood, R.W. et al. (1996). "Generation of Stable Test Atmospheres of Cocaine Base and Its Pyrolyzate, Methylecgonidine, and Demonstration of Their Biological Activity." <i>Pharmacology Biochemistry & Behavior</i> . 55(2):237-248.
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